

REMARKS

Claims 1-15 are pending in the present application. Claims 1-3 and 5-13 stand rejected and Claim 4 has been objected to. Claims 14 and 15 have been allowed. Claims 1, 4, 10 and 12 have been amended herein. Reconsideration is respectfully requested in light of the present amendments and following remarks. The above amendments and following remarks are believed to be fully responsive to the outstanding Office Action and to render all claims at issue patentably distinct over the references cited.

Claims 1-3 and 5-9 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Arnold et al. (U.S. 5,442,133) in view of Wojciechowski (U.S. 6,491,487). This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, the independent Claim 1 has been amended to state that the fastener has an enlarged section operably enclosing at least a portion of the shoulder of the stud. Support for this amendment can be found in the allowable and originally filed dependent Claim 4, as well as in originally filed Figure 4 and the accompanying text. In contrast, the cited references do not teach, suggest or motivate the claimed combination of elements, especially as amended. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

The Examiner has rejected Claims 10-13 under 35 U.S.C. §103(a) as allegedly being unpatentable over Tanaka (U.S. 5,413,500) in view of Wojciechowski. This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, the independent Claim

10 has been amended to state that a neck is located between the threaded segment and the shoulder where the neck is of a reduced peripheral distance as compared to the threaded segment and the shoulder. Support for this amendment can be found within at least Applicants' originally filed Figures 3 and 4. In contrast, the cited references do not teach, suggest or motivate the claimed combination of elements, especially as amended. Furthermore, the devices of Tanaka and Wojciechowski are significantly different in structure and function thereby requiring significant reengineering for any combination thereof to be made; such reengineering would require the improper use of hindsight reasoning given the present invention as a template, especially when there is no suggestion or motivation within the cited references to do such. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

In view of the instant amendments, it is submitted that the present application is in condition for allowance. Accordingly, it is requested that the Examiner pass the case to issue at his/her earliest convenience.

Respectfully submitted,

Dated: Dec. 2, 2003

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